



General Assembly

February Session, 2010

**Amendment**

LCO No. 4726

**\*SB0043804726SD0\***

Offered by:

SEN. GAFFEY, 13<sup>th</sup> Dist.

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To: Subst. Senate Bill No. 438

File No. 593

Cal. No. 422

**"AN ACT CONCERNING CHARTER SCHOOLS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2010*) (a) The Department of  
4 Education shall review and approve proposals for alternate route to  
5 certification programs for school administrators. In order to be  
6 approved, a proposal shall provide that the alternative route to  
7 certification program (1) be provided by a public or independent  
8 institution of higher education, a local or regional board of education,  
9 a regional educational service center or a private, nonprofit teacher or  
10 administrator training organization approved by the State Board of  
11 Education; (2) accept only those participants who (A) hold a bachelor's  
12 degree from an institution of higher education accredited by the Board  
13 of Governors of Higher Education or regionally accredited, (B) have at  
14 least forty school months teaching experience, of which at least ten  
15 school months are in a position requiring certification at a public

16 school, in this state or another state, and (C) are recommended by the  
17 immediate supervisor or district administrator of such person on the  
18 basis of such person's performance; (3) require each participant to (A)  
19 complete a one-year residency that requires such person to serve (i) in  
20 a position requiring an intermediate administrator or supervisor  
21 endorsement, and (ii) in a full-time position for ten school months at a  
22 local or regional board of education in the state under the supervision  
23 of (I) a certified administrator, and (II) a supervisor from an institution  
24 or organization described in subdivision (1) of this subsection, or (B)  
25 have ten school months experience in a full-time position as an  
26 administrator in a public or nonpublic school in another state that is  
27 approved by the appropriate state board of education in such other  
28 state; and (4) meet such other criteria as the departments require.

29 (b) Notwithstanding the provisions of subsection (d) of section 10-  
30 145b of the general statutes, on and after July 1, 2010, the State Board of  
31 Education, upon receipt of a proper application, shall issue an initial  
32 educator certificate in the certification endorsement area of  
33 administration and supervision, which shall be valid for three years, to  
34 any person who (1) successfully completed the alternate route to  
35 certification program for administrators and superintendents pursuant  
36 to this section, and (2) meets the requirements established in  
37 subsection (b) of section 10-145f of the general statutes.

38 (c) Notwithstanding any regulation adopted by the State Board of  
39 Education pursuant to section 10-145b of the general statutes, any  
40 person who successfully completed the alternate route to certification  
41 program for administrators pursuant to this section and was issued an  
42 initial educator certificate in the endorsement area of administration  
43 and supervision shall obtain a master's degree not later than five years  
44 after such person was issued such initial educator certificate. If such  
45 person does not obtain a master's degree in such time period, such  
46 person shall not be eligible for a professional educator certificate.

47 Sec. 2. Section 10-157 of the general statutes is repealed and the  
48 following is substituted in lieu thereof (*Effective July 1, 2010*):

49 (a) Any local or regional board of education shall provide for the  
50 supervision of the schools under its control by a superintendent who  
51 shall serve as the chief executive officer of the board. The  
52 superintendent shall have executive authority over the school system  
53 and the responsibility for its supervision. Employment of a  
54 superintendent shall be by election of the board of education. Except as  
55 provided in subsection (b) of this section, no person shall assume the  
56 duties and responsibilities of the superintendent until the board  
57 receives written confirmation from the Commissioner of Education  
58 that the person to be employed is properly certified or has had such  
59 certification waived by the commissioner pursuant to subsection (c) of  
60 this section. The commissioner shall inform any such board, in writing,  
61 of the proper certification, waiver of certification or lack of certification  
62 or waiver of any such person not later than fourteen days after the  
63 name of such person is submitted to the commissioner pursuant to  
64 section 10-226. A majority vote of all members of the board shall be  
65 necessary to an election, and the board shall fix the salary of the  
66 superintendent and the term of office, which shall not exceed three  
67 years. Upon election and notification of employment or reemployment,  
68 the superintendent may request and the board shall provide a written  
69 contract of employment which includes, but not be limited to, the  
70 salary, employment benefits and term of office of such superintendent.  
71 Such superintendent shall, at least three weeks before the annual town  
72 or regional school district meeting, submit to the board a full written  
73 report of the proceedings of such board and of the condition of the  
74 several schools during the school year preceding, with plans and  
75 suggestions for their improvement. The board of education shall  
76 evaluate the performance of the superintendent annually in  
77 accordance with guidelines and criteria mutually determined and  
78 agreed to by such board and such superintendent.

79 (b) A local or regional board of education may appoint as acting  
80 superintendent a person who is or is not properly certified for a  
81 specified period of time, not to exceed ninety days, with the approval  
82 of the Commissioner of Education. Such acting superintendent shall

83 assume all duties of the superintendent for the time specified,  
84 provided such period of time may be extended with the approval of  
85 the commissioner, which he shall grant for good cause shown.

86 (c) The commissioner may, upon request of an employing local or  
87 regional board of education, grant a waiver of certification to a person  
88 (1) who has successfully completed at least three years of experience as  
89 a certified administrator with a superintendent certificate issued by  
90 another state in a public school in another state during the ten-year  
91 period prior to the date of application, or (2) who the commissioner  
92 deems to be exceptionally qualified for the position of superintendent.  
93 In order for the commissioner to find a person exceptionally qualified,  
94 such person shall (1) be an acting superintendent pursuant to  
95 subsection (b) of this section, (2) have worked as a superintendent in  
96 another state for no fewer than fifteen years, and (3) be certified or  
97 have been certified as a superintendent by such other state.

98 Sec. 3. Section 10-10a of the 2010 supplement to the general statutes  
99 is repealed and the following is substituted in lieu thereof (*Effective July*  
100 *1, 2010*):

101 (a) As used in this section:

102 (1) "Teacher" means any certified professional employee below the  
103 rank of superintendent employed by a board of education for at least  
104 ninety days in a position requiring a certificate issued by the State  
105 Board of Education;

106 (2) "Teacher preparation program" means a program designed to  
107 qualify an individual for professional certification as an educator  
108 provided by institutions of higher education or other providers  
109 approved by the Department of Education, including, but not limited  
110 to, an alternate route to certification program.

111 [(a)] (b) The Department of Education shall develop and implement  
112 a state-wide public school information system. The system shall be  
113 designed for the purpose of establishing a standardized electronic data

114 collection and reporting protocol that will facilitate compliance with  
115 state and federal reporting requirements, improve school-to-school  
116 and district-to-district information exchanges, and maintain the  
117 confidentiality of individual student and staff data. The initial design  
118 shall focus on student information, provided the system shall be  
119 created to allow for future compatibility with financial, facility and  
120 staff data. The system shall provide for the tracking of the performance  
121 of individual students on each of the state-wide mastery examinations  
122 under section 10-14n in order to allow the department to compare the  
123 progress of the same cohort of students who take each examination  
124 and to better analyze school performance. The department shall assign  
125 a unique student identifier to each student prior to tracking the  
126 performance of a student in the public school information system.

127 (c) On or before July 1, 2013, the department shall expand the state-  
128 wide public school information system as follows:

129 (1) Track and report data relating to student, teacher and school and  
130 district performance growth and make such information available to  
131 local and regional boards of education for use in evaluating  
132 educational performance and growth of teachers and students enrolled  
133 in public schools in the state. Such information shall be collected or  
134 calculated based on information received from local and regional  
135 boards of education and other relevant sources. Such information shall  
136 include, but not be limited to:

137 (A) In addition to performance on state-wide mastery examinations  
138 pursuant to subsection (b) of this section, data relating to students shall  
139 include, but not be limited to, (i) the level of education achieved by the  
140 parents of a student, (ii) the primary language spoken at the home of a  
141 student, (iii) student transcripts, (iv) student attendance and student  
142 mobility, and (v) reliable, valid assessments of a student's readiness to  
143 enter public school at the kindergarten level;

144 (B) Data relating to teachers shall include, but not be limited to, (i)  
145 teacher credentials, such as master's degrees, teacher preparation

146 programs completed and certification levels and endorsement areas,  
147 (ii) teacher assessments, such as whether a teacher is deemed highly  
148 qualified pursuant to the No Child Left Behind Act, P.L. 107-110, or  
149 deemed to meet such other designations as may be established by  
150 federal law or regulations for the purposes of tracking the equitable  
151 distribution of instructional staff, (iii) the presence of substitute  
152 teachers in a teacher's classroom, (iv) class size, (v) numbers relating to  
153 absenteeism in a teacher's classroom, and (vi) the presence of a  
154 teacher's aide. The department shall assign a unique teacher identifier  
155 to each teacher prior to collecting such data in the public school  
156 information system;

157 (C) Data relating to schools and districts shall include, but not be  
158 limited to, (i) school population, (ii) annual student graduation rates,  
159 (iii) annual teacher retention rates, (iv) school disciplinary records,  
160 such as data relating to suspensions, expulsions and other disciplinary  
161 actions, (v) the percentage of students whose primary language is not  
162 English, (vi) the number of and professional credentials of support  
163 personnel, and (vii) information relating to instructional technology,  
164 such as access to computers.

165 (2) Collect data relating to student enrollment in and graduation  
166 from institutions of higher education for any student who had been  
167 assigned a unique student identifier pursuant to subsection (b) of this  
168 section, provided such data is available.

169 (3) Develop means for access to and data sharing with the data  
170 systems of public institutions of higher education in the state.

171 (d) On or before July 1, 2011, and each year thereafter until July 1,  
172 2013, the Commissioner of Education shall report, in accordance with  
173 the provisions of section 11-4a, to the joint standing committee of the  
174 General Assembly having cognizance of matters relating to education  
175 on the progress of the department's efforts to expand the state-wide  
176 public school information system pursuant to subsection (c) of this  
177 section. The report shall include a full statement of those data elements

178 that are currently included in the system and those data elements that  
179 will be added on or before July 1, 2013.

180 [(b)] (e) The system database of student information shall not be  
181 considered a public record for the purposes of section 1-210. Nothing  
182 in this section shall be construed to limit the ability of a full-time  
183 permanent employee of a nonprofit organization that is exempt from  
184 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,  
185 or any subsequent corresponding internal revenue code of the United  
186 States, as from time to time amended, and that is organized and  
187 operated for educational purposes, to obtain information in accordance  
188 with the provisions of subsection [(e)] (h) of this section.

189 [(c)] (f) All school districts shall participate in the system, and report  
190 all necessary information required by this section, provided the  
191 department provides for technical assistance and training of school  
192 staff in the use of the system.

193 [(d)] (g) Local and regional boards of education and preschool  
194 programs which receive state or federal funding shall participate, in a  
195 manner prescribed by the Commissioner of Education, in the state-  
196 wide public school information system described in subsection [(a)] (b)  
197 of this section. Participation for purposes of this subsection shall  
198 include, but not be limited to, reporting on (1) student experiences in  
199 preschool by program type and by numbers of months in each such  
200 program, and (2) the readiness of students entering kindergarten and  
201 student progress in kindergarten. Such reporting shall be done by  
202 October 1, 2007, and annually thereafter.

203 [(e)] (h) On and after August 1, 2009, upon receipt of a written  
204 request to access data maintained under this section by a full-time  
205 permanent employee of a nonprofit organization that is exempt from  
206 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,  
207 or any subsequent corresponding internal revenue code of the United  
208 States, as from time to time amended, and that is organized and  
209 operated for educational purposes, the Department of Education shall

210 provide such data to such requesting party not later than sixty days  
211 after such request, provided such requesting party shall be responsible  
212 for the reasonable cost of such request. The Department of Information  
213 Technology shall monitor the calculation of such fees charged for  
214 access to or copies of such records to ensure that such fees are  
215 reasonable and consistent with those charged by other state agencies.  
216 The Department of Education shall respond to written requests under  
217 this section in the order in which they are received.

218 Sec. 4. Section 10-151b of the general statutes is repealed and the  
219 following is substituted in lieu thereof (*Effective July 1, 2010*):

220 (a) The superintendent of each local or regional board of education  
221 shall continuously evaluate or cause to be evaluated each teacher, in  
222 accordance with guidelines established by the State Board of  
223 Education, pursuant to subsection (c) of this section, for the  
224 development of evaluation programs and such other guidelines as may  
225 be established by mutual agreement between the local or regional  
226 board of education and the teachers' representative chosen pursuant to  
227 section 10-153b, continuously evaluate or cause to be evaluated each  
228 teacher. An evaluation pursuant to this subsection shall include, but  
229 need not be limited to, strengths, areas needing improvement, [and]  
230 strategies for improvement and multiple indicators of student  
231 academic growth. Claims of failure to follow the established  
232 procedures of such evaluation programs shall be subject to the  
233 grievance procedure in collective bargaining agreements negotiated  
234 subsequent to July 1, 2004. The superintendent shall report the status  
235 of teacher evaluations to the local or regional board of education on or  
236 before June first of each year. For purposes of this section, the term  
237 "teacher" shall include each professional employee of a board of  
238 education, below the rank of superintendent, who holds a certificate or  
239 permit issued by the State Board of Education.

240 (b) Each local and regional board of education shall develop and  
241 implement teacher evaluation programs consistent with guidelines  
242 established by the State Board of Education, pursuant to subsection (c)



243 of this section, and consistent with the plan developed in accordance  
244 with the provisions of subsection (b) of section 10-220a.

245 (c) On or before July 1, 2013, the State Board of Education shall  
246 adopt, in consultation with the Performance Evaluation Advisory  
247 Council established pursuant to section 5 of this act, guidelines for a  
248 model teacher evaluation program. Such guidelines shall provide  
249 guidance on the use of multiple indicators of student academic growth  
250 in teacher evaluations. Such guidelines shall include, but not be limited  
251 to: (1) Methods for assessing student academic growth; (2) a  
252 consideration of control factors tracked by the state-wide public school  
253 information system, pursuant to subsection (c) of section 10-10a, as  
254 amended by this act, that may influence teacher performance ratings,  
255 including, but not limited to, student characteristics, student  
256 attendance and student mobility; and (3) minimum requirements for  
257 teacher evaluation instruments and procedures.

258 Sec. 5. (NEW) (*Effective July 1, 2010*) (a) There is established a  
259 Performance Evaluation Advisory Council within the Department of  
260 Education. Membership of the council shall consist of: (1) The  
261 Commissioners of Education and Higher Education, or their designees,  
262 (2) one representative from each of the following associations,  
263 designated by the association, the Connecticut Association of Boards of  
264 Education, the Connecticut Association of Public School  
265 Superintendents, Connecticut Federation of School Administrators, the  
266 Connecticut Education Association and the American Federation of  
267 Teachers-Connecticut, and (3) persons selected by the Commissioner  
268 of Education who shall include, but not be limited to, teachers, persons  
269 with expertise in performance evaluation processes and systems, and  
270 any other person the commissioner deems appropriate.

271 (b) The council shall be responsible for (1) assisting the State Board  
272 of Education in the development and implementation of the teacher  
273 evaluation guidelines, pursuant to subsection (c) of section 10-151b of  
274 the general statutes, as amended by this act, and (2) the data collection  
275 and evaluation support system, pursuant to subsection (c) of section

276 10-10a of the general statutes, as amended by this act. The council shall  
277 meet at least quarterly.

278 Sec. 6. (NEW) (*Effective July 1, 2010*) (a) A local or regional board of  
279 education for a school district identified as a priority school district,  
280 pursuant to section 10-266p of the general statutes, may, through  
281 agreement with the organizations designated or elected as the  
282 exclusive representatives of the teachers' and administrators' units, as  
283 defined in section 10-153b of the general statutes, convert an existing  
284 public school into an innovation school or establish a new school as an  
285 innovation school, in accordance with the provisions of this section, for  
286 purposes of improving school performance and student achievement.  
287 For purposes of this section, an innovation school is a school in which:  
288 (1) Faculty and district leadership are responsible for developing an  
289 innovation plan, as described in subsection (b) of this section, under  
290 which the school operates and the administrators of the school are  
291 responsible for meeting the terms of the innovation plan; or (2) an  
292 external partner is responsible for developing the innovation plan, as  
293 described in subsection (b) of this section, under which the school  
294 operates and the external partner is responsible for meeting the terms  
295 of the innovation plan. For purposes of this section, an external partner  
296 may include a public or private institution of higher education,  
297 nonprofit charter school operators, educational collaboratives or a  
298 consortia authorized by the Commissioner of Education that may  
299 include public or private institutions of higher education, parents, the  
300 organizations designated or elected as the exclusive representatives of  
301 the teachers' and administrators' units, as defined in said section 10-  
302 153b, superintendents or boards of education. The local or regional  
303 board of education shall decide whether the faculty and district  
304 leadership or an external partner is responsible for developing the  
305 innovation plan.

306 (b) (1) An innovation school established under this section shall  
307 operate according to an innovation plan. Such plan shall articulate the  
308 areas of autonomy and flexibility in curriculum, budget, school  
309 schedule and calendar, school district policies and procedures,

310 professional development, and staffing policies and procedures,  
311 including waivers from or modifications to contracts or collective  
312 bargaining agreements. Such innovation plan shall be developed by  
313 the faculty and district leadership or an external partner by means of  
314 an innovation plan committee. Membership of the innovation plan  
315 committee developed by (A) faculty and district leadership shall  
316 consist of at least nine members, but not more than eleven members, (i)  
317 five of whom shall be selected by the local or regional board of  
318 education and shall include (I) the superintendent of schools for the  
319 school district, or his or her designee; (II) a member of the local or  
320 regional board of education, or his or her designee; (III) two parents  
321 who have one or more children enrolled in the school, or in the case of  
322 a new school, parents from the district; and (IV) the principal of the  
323 school, or, in the case of a new school and where a principal has not  
324 yet been hired, a principal from the school district in which the new  
325 school is located, (ii) two of whom shall be certified teachers of the  
326 school appointed by the exclusive bargaining representative of the  
327 teachers' unit chosen pursuant to section 10-153b of the general  
328 statutes, or, in the case of a new school and where no certified teachers  
329 have yet been hired, two certified teachers appointed by the exclusive  
330 bargaining representative of the teachers' unit chosen pursuant to  
331 section 10-153b of the general statutes, and (iii) not more than four of  
332 whom the local or regional board of education deems appropriate; (B)  
333 an external partner shall consist of at least nine members, but not more  
334 than eleven members, (i) seven of whom shall be selected by the local  
335 or regional board of education and shall include (I) the superintendent  
336 of schools for the school district, or his or her designee; (II) a member  
337 of the local or regional board of education, or his or her designee; (III)  
338 two parents who have one or more children enrolled in the school, or,  
339 in the case of a new school, parents from the district; (IV) the principal  
340 of the school, or, in the case of a new school and where a principal has  
341 not yet been hired, a principal from the school district in which the  
342 new school is located; and (V) two of whom shall represent the  
343 external partner, (ii) two of whom shall be certified teachers of the  
344 school appointed by the exclusive bargaining representative of the

345 teachers' unit chosen pursuant to section 10-153b of the general  
346 statutes, or, in the case of a new school and where no certified teachers  
347 have yet been hired, two certified teachers appointed by the exclusive  
348 bargaining representative of the teachers' unit chosen pursuant to  
349 section 10-153b of the general statutes, and (iii) not more than two of  
350 whom the local or regional board of education deems appropriate. A  
351 majority vote of the innovation plan committee shall be required for  
352 approval and implementation of the innovation plan.

353 (2) The innovation plan shall include, but not be limited to: (A) A  
354 curriculum plan that includes a detailed description of the curriculum  
355 and related programs for the proposed school and how the curriculum  
356 is expected to improve school performance and student achievement;  
357 (B) a budget plan, that includes a detailed description of how funds  
358 shall be used in the proposed school to support school performance  
359 and student achievement that is or may be different than how funds  
360 are used in other public schools in the district; (C) a school schedule  
361 plan that includes a detailed description of the ways the program or  
362 calendar of the proposed school may be enhanced or expanded; (D) a  
363 staffing plan, including any proposed waivers or modifications of  
364 collective bargaining agreements, subject to agreement with the  
365 exclusive bargaining representative for the certified employees  
366 employed at the school, chosen pursuant to section 10-153b of the  
367 general statutes, and in accordance with the provisions of subsection  
368 (c) of this section; (E) a policies and procedures plan that includes a  
369 detailed description of the unique operational policies and procedures  
370 to be used by the proposed school and how the procedures will  
371 support school performance and student achievement; and (F) a  
372 professional development plan that includes a detailed description of  
373 how the school may provide professional development to its  
374 administrators, teachers and other staff.

375 (3) In order to assess the proposed school across multiple measures  
376 of school performance and student success, the innovation plan shall  
377 include measurable annual goals, including, but not limited to, goals  
378 relating to the following: (A) Student attendance; (B) student safety

379 and discipline; (C) student promotion and graduation and dropout  
380 rates; (D) student performance on the state-wide mastery examination,  
381 pursuant to section 10-14n of the general statutes; (E) progress in areas  
382 of academic underperformance; (F) progress among subgroups of  
383 students, including low-income students, limited English-proficient  
384 students and students receiving special education; and (G) reduction  
385 of achievement gaps among different groups of students.

386 (c) Nothing in this section shall alter the collective bargaining  
387 agreements applicable to the administrators, teachers and staff in the  
388 school, subject to the provisions of sections 10-153a to 10-153n,  
389 inclusive, of the general statutes, and such collective bargaining  
390 agreements shall be considered to be in operation at an innovation  
391 school, except to the extent the provisions are waived or modified in  
392 the innovation plan and agreed to by a two-thirds vote of the members  
393 of the exclusive bargaining representative employed or to be employed  
394 at the innovation school.

395 (d) Innovation schools authorized under this section shall be  
396 evaluated annually by the superintendent of schools for the school  
397 district. The superintendent shall submit the evaluation to the local or  
398 regional board of education and the Commissioner of Education. The  
399 evaluation shall determine whether the school has met the annual  
400 goals outlined in the innovation plan for the school and assess the  
401 implementation of the innovation plan at the school. The  
402 superintendent may amend or suspend one or more components of the  
403 innovation plan if the superintendent determines, after one year, an  
404 amendment is necessary because of subsequent changes in the school  
405 district that affect one or more components of such innovation plan. If  
406 the superintendent determines that the school has substantially failed  
407 to meet the goals outlined in the innovation plan, the local or regional  
408 board of education may: (A) Amend one or more components of the  
409 innovation plan; (B) suspend one or more components of the  
410 innovation plan; or (C) terminate the authorization of the school,  
411 provided the amending or suspension shall not take place before the  
412 completion of the second full year of the operation of the school and

413 the termination shall not take place before the completion of the third  
414 full year of the operation of the school. Any amendment to or  
415 suspension of any component of the innovation plan that changes the  
416 contract of employment for any teacher employed at the school shall  
417 be approved by a two-thirds vote of the members of the exclusive  
418 bargaining representative for the teachers employed at the school prior  
419 to any such amendment or suspension of the innovation plan.

420 (e) The local or regional board of education shall allow a student  
421 who is enrolled in a school at the time it is established as an innovation  
422 school pursuant to this section to remain enrolled in the school if the  
423 student and the student's parents choose to have the student remain.

424 Sec. 7. Section 10-223e of the general statutes is repealed and the  
425 following is substituted in lieu thereof (*Effective July 1, 2010*):

426 (a) In conformance with the No Child Left Behind Act, P.L. 107-110,  
427 the Commissioner of Education shall prepare a state-wide education  
428 accountability plan, consistent with federal law and regulation. Such  
429 plan shall identify the schools and districts in need of improvement,  
430 require the development and implementation of improvement plans  
431 and utilize rewards and consequences.

432 (b) Public schools identified by the State Board of Education  
433 pursuant to section 10-223b of the general statutes, revision of 1958,  
434 revised to January 1, 2001, as schools in need of improvement shall: (1)  
435 Continue to be identified as schools in need of improvement, and  
436 continue to operate under school improvement plans developed  
437 pursuant to said section 10-223b through June 30, 2004; (2) on or before  
438 February 1, 2003, be evaluated by the local board of education and  
439 determined to be making sufficient or insufficient progress; (3) if found  
440 to be making insufficient progress by a local board of education, be  
441 subject to a new remediation and organization plan developed by the  
442 local board of education; (4) continue to be eligible for available federal  
443 or state aid; (5) beginning in February, 2003, be monitored by the  
444 Department of Education for adequate yearly progress, as defined in

445 the state accountability plan prepared in accordance with subsection  
446 (a) of this section; and (6) be subject to rewards and consequences as  
447 defined in said plan.

448 (c) (1) Any school or school district identified as in need of  
449 improvement pursuant to subsection (a) of this section and requiring  
450 corrective action pursuant to the requirements of the No Child Left  
451 Behind Act, P.L. 107-110, shall be designated and listed as a low  
452 achieving school or school district and shall be subject to intensified  
453 supervision and direction by the State Board of Education.

454 (2) Notwithstanding any provision of this title or any regulation  
455 adopted pursuant to said statutes, except as provided in subdivision  
456 (3) of this subsection, in carrying out the provisions of subdivision (1)  
457 of this subsection, the State Board of Education shall take any of the  
458 following actions to improve student performance and remove the  
459 school or district from the list of schools or districts designated and  
460 listed as a low achieving school or district pursuant to said subdivision  
461 (1), and to address other needs of the school or district: (A) Require an  
462 operations audit to identify possible programmatic savings and an  
463 instructional audit to identify any deficits in curriculum and  
464 instruction or in the learning environment of the school or district; (B)  
465 require the local or regional board of education for such school or  
466 district to use state and federal funds for critical needs, as directed by  
467 the State Board of Education; (C) provide incentives to attract highly  
468 qualified teachers and principals; (D) direct the transfer and  
469 assignment of teachers and principals; (E) require additional training  
470 and technical assistance for parents and guardians of children  
471 attending the school or a school in the district and for teachers,  
472 principals, and central office staff members hired by the district; (F)  
473 require the local or regional board of education for the school or  
474 district to implement model curriculum, including, but not limited to,  
475 recommended textbooks, materials and supplies approved by the  
476 Department of Education; (G) identify schools for reconstitution, as  
477 may be phased in by the commissioner, as state or local charter  
478 schools, schools established pursuant to section 10-74g, innovation

479 schools established pursuant to section 6 of this act, or schools based  
480 on other models for school improvement, or for management by an  
481 entity other than the local or regional board of education for the  
482 district in which the school is located; (H) direct the local or regional  
483 board of education for the school or district to develop and implement  
484 a plan addressing deficits in achievement and in the learning  
485 environment as recommended in the instructional audit; (I) assign a  
486 technical assistance team to the school or district to guide school or  
487 district initiatives and report progress to the Commissioner of  
488 Education; (J) establish instructional and learning environment  
489 benchmarks for the school or district to meet as it progresses toward  
490 removal from the list of low achieving schools or districts; (K) provide  
491 funding to any proximate district to a district designated as a low  
492 achieving school district so that students in a low achieving district  
493 may attend public school in a neighboring district; (L) direct the  
494 establishment of learning academies within schools that require  
495 continuous monitoring of student performance by teacher groups; (M)  
496 require local and regional boards of education to (i) undergo training  
497 to improve their operational efficiency and effectiveness as leaders of  
498 their districts' improvement plans, and (ii) submit an annual action  
499 plan to the Commissioner of Education outlining how, when and in  
500 what manner their effectiveness shall be monitored; or (N) any  
501 combination of the actions described in this subdivision or similar,  
502 closely related actions.

503 (3) If a directive of the State Board of Education pursuant to  
504 subparagraph (C), (D), (E), (G) or (L) of subdivision (2) of this  
505 subsection or a directive to implement a plan pursuant to  
506 subparagraph (H) of said subdivision affects working conditions, such  
507 directive shall be carried out in accordance with the provisions of  
508 sections 10-153a to 10-153n, inclusive.

509 (4) The Comptroller shall, pursuant to the provisions of section 10-  
510 262i, withhold any grant funds that a town is otherwise required to  
511 appropriate to a local or regional board of education due to low  
512 academic achievement in the school district pursuant to section 10-



513 262h. Said funds shall be transferred to the Department of Education  
514 and shall be expended by the department on behalf of the identified  
515 school district. Said funds shall be used to implement the provisions of  
516 subdivision (2) of this subsection and to offset such other local  
517 education costs that the Commissioner of Education deems  
518 appropriate to achieve school improvements. These funds shall be  
519 awarded by the commissioner to the local or regional board of  
520 education for such identified school district upon condition that said  
521 funds shall be spent in accordance with the directives of the  
522 commissioner.

523 (d) The State Board of Education shall monitor the progress of each  
524 school or district designated as a low achieving school or district  
525 pursuant to subdivision (1) of subsection (c) of this section and provide  
526 notice to the local or regional board of education for each such school  
527 or district of the school or district's progress toward meeting the  
528 benchmarks established by the State Board of Education pursuant to  
529 subsection (c) of this section. If a district fails to make acceptable  
530 progress toward meeting such benchmarks established by the State  
531 Board of Education and fails to make adequate yearly progress  
532 pursuant to the requirements of the No Child Left Behind Act, P.L.  
533 107-110, for two consecutive years while designated as a low achieving  
534 school district, the State Board of Education, after consultation with the  
535 Governor and chief elected official or officials of the district, may (1)  
536 request that the General Assembly enact legislation authorizing that  
537 control of the district be reassigned to the State Board of Education or  
538 other authorized entity, or (2) notwithstanding the provisions of  
539 chapter 146, any special act, charter or ordinance, grant the  
540 Commissioner of Education the authority to reconstitute the local or  
541 regional board of education for such school district in accordance with  
542 the provisions of subsection (g) of this section.

543 (e) Any school district or elementary school after two successive  
544 years of failing to make adequate yearly progress shall be designated  
545 as a low achieving school district or school and shall be evaluated by  
546 the Commissioner of Education. After such evaluation, the

547 commissioner may require that such school district or school provide  
548 full-day kindergarten classes, summer school, extended school day,  
549 weekend classes, tutorial assistance to its students or professional  
550 development to its administrators, principals, teachers and  
551 paraprofessional teacher aides if (1) on any subpart of the third grade  
552 state-wide mastery examination, thirty per cent or more of the students  
553 in any subgroup, as defined by the No Child Left Behind Act, P.L. 107-  
554 110, do not achieve the level of proficiency or higher, or (2) the  
555 commissioner determines that it would be in the best educational  
556 interests of the school or the school district to have any of these  
557 programs. In ordering any educational program authorized by this  
558 subsection, the commissioner may limit the offering of the program to  
559 the subgroup of students that have failed to achieve proficiency as  
560 determined by this subsection, those in particular grades or those who  
561 are otherwise at substantial risk of educational failure. The costs of  
562 instituting the ordered educational programs shall be borne by the  
563 identified low achieving school district or the school district in which  
564 an identified low achieving school is located. The commissioner shall  
565 not order an educational program that costs more to implement than  
566 the total increase in the amount of the grant that a town receives  
567 pursuant to section 10-262i in any fiscal year above the prior fiscal  
568 year.

569 (f) The Commissioner of Education shall conduct a study, within the  
570 limits of the capacity of the Department of Education to perform such  
571 study, of academic achievement of individual students over time as  
572 measured by performance on the state-wide mastery examination in  
573 grades three to eight, inclusive. If this study evidences a pattern of  
574 continuous and substantial growth in educational performance on said  
575 examinations for individual students, then the commissioner may  
576 determine that the school district or elementary school shall not be  
577 subject to the requirements of subsection (e) of this section, but shall  
578 still comply with the requirements of the No Child Left Behind Act,  
579 P.L. 107-110, if applicable.

580 (g) The State Board of Education may authorize the Commissioner

581 of Education to reconstitute a local or regional board of education  
582 pursuant to subdivision (2) of subsection (d) of this section for a period  
583 of not more than five years. The board shall not grant such authority to  
584 the commissioner unless the board has required the local or regional  
585 board of education to complete the training described in subparagraph  
586 (M) of subdivision (2) of subsection (c) of this section. Upon such  
587 authorization by the board, the commissioner shall terminate the  
588 existing local or regional board of education and appoint the members  
589 of a new local or regional board of education for the school district.  
590 Such appointed members may include members of the board of  
591 education that was terminated. The terms of the members of the new  
592 board of education shall be three years. The department of education  
593 shall offer training to the members of the new board of education. The  
594 new board of education shall annually report to the commissioner  
595 regarding the district's progress toward meeting the benchmarks  
596 established by the State Board of Education pursuant to subsection (c)  
597 of this section and making adequate yearly progress, as defined in the  
598 state accountability plan prepared in accordance with subsection (a) of  
599 this section. If the district fails to show adequate improvement, as  
600 determined by the State Board of Education, after three years, the  
601 commissioner may reappoint the members of the new board of  
602 education or appoint new members to such board of education for  
603 terms of two years.

604 Sec. 8. Section 9-185 of the general statutes is repealed and the  
605 following is substituted in lieu thereof (*Effective July 1, 2010*):

606 Unless otherwise provided by special act or charter, (1) assessors, (2)  
607 members of boards of assessment appeals, (3) selectmen, (4) town  
608 clerks, (5) town treasurers, (6) collectors of taxes, (7) constables, (8)  
609 registrars of voters, (9) subject to the provisions of subsection (g) of  
610 section 10-223e, as amended by this act, members of boards of  
611 education, and (10) library directors shall be elected, provided any  
612 town may, by ordinance, provide for the appointment, by its chief  
613 executive authority, of [(1)] (A) a constable or constables in lieu of  
614 constables to be elected under section 9-200 or [(2)] (B) a town clerk,

town treasurer or collector of taxes in lieu of the election of such officers as provided in section 9-189. Unless otherwise provided by special act or charter, all other town officers shall be appointed as provided by law and, if no other provision for their appointment is made by law, then by [(A)] (i) the chief executive officer of such municipality, or [(B)] (ii) where the legislative body is a town meeting, by the board of selectmen, or [(C)] (iii) by such other appointing authority as a town may by ordinance provide, and except that, if a board of finance is established under the provisions of section 7-340, the members thereof shall be elected as provided in section 9-202 and except that assessors may be elected or appointed under the provisions of section 9-198. Any town may, by a vote of its legislative body, determine the number of its officers and prescribe the mode by which they shall be voted for at subsequent elections.

Sec. 9. Section 10-183v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Except as provided in subsection (b) of this section, a [former] teacher receiving retirement benefits from the system may not be employed in a teaching position receiving compensation paid out of public money appropriated for school purposes except that such [former] teacher may be employed [temporarily] in such a position and receive no more than forty-five per cent of the maximum salary level for the assigned position. Any [former] teacher who receives in excess of such amount shall reimburse the board for the amount of such excess. [Temporary employment means employment for less than a school year.] Notice of such employment shall be sent [semi-annually on January thirty-first and June thirtieth] to the board by the [employing officials] employer and by the retired teacher at the time of hire and at the end of each assignment.

(b) A [former] teacher receiving retirement benefits from the system may be reemployed for up to one full school year by a local board of education, the State Board of Education or by any constituent unit of the state system of higher education in a position (1) designated by the

648 Commissioner of Education as a subject shortage area, or (2) at a  
649 school located in a school district identified as a priority school district,  
650 pursuant to section 10-266p, for the school year in which the [former]  
651 teacher is being employed. Notice of such reemployment shall be sent  
652 to the board by the employer and by the retired teacher at the time of  
653 hire and at the end of the assignment. Such [employment may be for  
654 up to one full school year but] reemployment may [, with prior  
655 approval by the board,] be extended for an additional school year, [.   
656 Such] provided the local board of education (A) submits a written  
657 request for approval [shall be made in writing] to the Teachers'  
658 Retirement Board, [and certified by the local board of education] (B)  
659 certifies that no qualified candidates are available prior to the  
660 reemployment of such [former] teacher, and [shall include a statement  
661 indicating] (C) indicates the type of assignment to be performed, the  
662 anticipated date of rehire and the expected duration of the assignment.

663 (c) The employment of a [former] teacher under subsection (b) of  
664 this section shall not be considered as service qualifying for continuing  
665 contract status under section 10-151, as amended by this act, and the  
666 salary of such teacher shall be fixed at an amount at least equal to that  
667 paid other teachers in the same school system with similar training  
668 and experience for the same type of service. Upon approval by the  
669 board of such employment, such [former] teacher shall be eligible for  
670 the same health insurance benefits provided to active teachers  
671 employed by such school system. No benefits shall be paid under  
672 section 10-183t, while such [former] teacher is employed by such  
673 system.

674 (d) No person shall be entitled to survivor's benefits under  
675 subsection (f) of section 10-183f as a result of reemployment under this  
676 section.

677 (e) The same option plan of retirement benefits in effect prior to  
678 reemployment shall continue for a reemployed teacher during  
679 reemployment.

680 (f) The provisions of this section in effect on June 30, 2003, revision  
681 of 1958, revised to January 1, 2003, shall be applicable to any person  
682 making contributions to the Teachers' Retirement System on June 30,  
683 2003, in accordance with said provisions.

684 Sec. 10. Subsection (a) of section 10-151 of the general statutes is  
685 repealed and the following is substituted in lieu thereof (*Effective July*  
686 *1, 2010*):

687 (a) For the purposes of this section:

688 (1) The term "board of education" shall mean a local or regional  
689 board of education or the board of trustees of an incorporated or  
690 endowed high school or academy approved pursuant to section 10-34,  
691 which is located in this state;

692 (2) The term "teacher" shall include each certified professional  
693 employee below the rank of superintendent employed by a board of  
694 education for at least ninety days in a position requiring a certificate  
695 issued by the State Board of Education;

696 (3) The term "continuous employment" means that time during  
697 which the teacher is employed without any break in employment as a  
698 teacher for the same board of education;

699 (4) The term "full-time employment" means a teacher's employment  
700 in a position at a salary rate of fifty per cent or more of the salary rate  
701 of such teacher in such position if such position were full-time;

702 (5) The term "part-time employment" means a teacher's employment  
703 in a position at a salary rate of less than fifty per cent of the salary rate  
704 of such teacher in such position, if such position were full-time;

705 (6) The term "tenure" means:

706 (A) The completion of thirty school months of full-time continuous  
707 employment for the same board of education for teachers initially  
708 hired prior to July 1, 1996; and forty such school months for teachers

709 initially hired on or after said date provided the superintendent offers  
710 the teacher a contract to return for the following school year. For  
711 purposes of calculating continuous employment towards tenure, the  
712 following shall apply: (i) For a teacher who has not attained tenure,  
713 two school months of part-time continuous employment by such  
714 teacher shall equal one school month of full-time continuous  
715 employment except, for a teacher employed in a part-time position at a  
716 salary rate of less than twenty-five per cent of the salary rate of a  
717 teacher in such position, if such position were full-time, three school  
718 months of part-time continuous employment shall equal one school  
719 month of full-time continuous employment; (ii) a teacher who has not  
720 attained tenure shall not count layoff time towards tenure, except that  
721 if such teacher is reemployed by the same board of education within  
722 five calendar years of the layoff, such teacher may count the previous  
723 continuous employment immediately prior to the layoff towards  
724 tenure; and (iii) a teacher who has not attained tenure shall not count  
725 authorized leave time towards tenure if such time exceeds ninety  
726 student school days in any one school year, provided only the student  
727 school days worked that year by such teacher shall count towards  
728 tenure and shall be computed on the basis of eighteen student school  
729 days or the greater fraction thereof equaling one school month.

730 (B) For a teacher who has attained tenure prior to layoff, tenure shall  
731 resume if such teacher is reemployed by the same board of education  
732 within five calendar years of the layoff.

733 (C) Except as provided in [subparagraph (B)] subparagraphs (B) and  
734 (D) of this subdivision, any teacher who has attained tenure with any  
735 one board of education and whose employment with such board ends  
736 for any reason and who is reemployed by such board or is  
737 subsequently employed by any other board, shall attain tenure after  
738 completion of twenty school months of continuous employment. The  
739 provisions of this subparagraph shall not apply if, (i) prior to  
740 completion of the twentieth school month following commencement of  
741 employment by such board, such teacher has been notified in writing  
742 that his or her contract will not be renewed for the following school

743 year or (ii) for a period of five or more calendar years immediately  
744 prior to such subsequent employment, such teacher has not been  
745 employed by any board of education.

746 (D) Any certified teacher or administrator employed by a local or  
747 regional board of education for a school district identified as a priority  
748 school district pursuant to section 10-266p may attain tenure after ten  
749 months of employment in such priority school district, if such certified  
750 teacher or administrator previously attained tenure with another local  
751 or regional board of education in this state or another state.

752 (7) The term "school month" means any calendar month other than  
753 July or August in which a teacher is employed as a teacher at least one-  
754 half of the student school days.

755 Sec. 11. Section 10-66p of the general statutes is repealed and the  
756 following is substituted in lieu thereof (*Effective July 1, 2010*):

757 Notwithstanding the provisions of sections 4-98, 4-212 to 4-219,  
758 inclusive, 4a-51 and 4a-57, the Commissioner of Education may  
759 allocate funds to allow regional educational service centers and state  
760 education organizations to provide professional development services,  
761 technical assistance and evaluation activities to local and regional  
762 boards of education, state charter schools, regional vocational-technical  
763 schools, school readiness providers and other educational entities, as  
764 determined by the commissioner. Regional educational service centers  
765 and state education organizations shall expend such funds in  
766 accordance with procedures and conditions prescribed by the  
767 commissioner. For purposes of this section, state education  
768 organizations may include, but not be limited to, organizations or  
769 associations representing superintendents, boards of education and  
770 elementary and secondary schools.

771 Sec. 12. Section 10-66aa of the general statutes is repealed and the  
772 following is substituted in lieu thereof (*Effective July 1, 2010*):

773 As used in sections 10-66aa to 10-66ff, inclusive, as amended by this



774 act, and sections 10-66hh to 10-66kk, inclusive, as amended by this act:

775 (1) "Charter school" means a public, nonsectarian school which is  
776 (A) established under a charter granted pursuant to section 10-66bb, as  
777 amended by this act, (B) organized as a nonprofit entity under state  
778 law, (C) a public agency for purposes of the Freedom of Information  
779 Act, as defined in section 1-200, and (D) operated independently of any  
780 local or regional board of education in accordance with the terms of its  
781 charter and the provisions of sections 10-66aa to 10-66ff, inclusive, as  
782 amended by this act, provided no member or employee of a governing  
783 council of a charter school shall have a personal or financial interest in  
784 the assets, real or personal, of the school;

785 (2) "Local charter school" means a public school or part of a public  
786 school that is converted into a charter school and is approved by the  
787 local or regional board of education of the school district in which it is  
788 located and by the State Board of Education pursuant to subsection (e)  
789 of section 10-66bb, as amended by this act; [and]

790 (3) "State charter school" means a new public school approved by  
791 the State Board of Education pursuant to subsection (f) of section 10-  
792 66bb, as amended by this act;

793 (4) "Charter management organization" means any entity that a  
794 charter school contracts with for educational design, implementation  
795 or whole school management services; and

796 (5) "Whole school management services" means the financial,  
797 business, operational and administrative functions for a school.

798 Sec. 13. Section 10-66bb of the general statutes is repealed and the  
799 following is substituted in lieu thereof (*Effective from passage*):

800 (a) On and after July 1, 1997, the State Board of Education may grant  
801 [ within available appropriations,] charters for local and state charter  
802 schools in accordance with this section.

803 (b) Any person, association, corporation, organization or other

804 entity, public or independent institution of higher education, local or  
805 regional board of education or two or more boards of education  
806 cooperatively, or regional educational service center may apply to the  
807 Commissioner of Education, at such time and in such manner as the  
808 commissioner prescribes, to establish a charter school, provided no  
809 nonpublic elementary or secondary school may be established as a  
810 charter school and no parent or group of parents providing home  
811 instruction may establish a charter school for such instruction.

812 (c) The State Board of Education shall review, annually, all  
813 applications and grant charters in accordance with subsection (f) of  
814 this section. (1) Except as provided for in subdivision (2) of this  
815 subsection, no state charter school shall enroll (A) (i) more than two  
816 hundred fifty students, or (ii) in the case of a kindergarten to grade  
817 eight, inclusive, school, more than three hundred students, or (B)  
818 twenty-five per cent of the enrollment of the school district in which  
819 the state charter school is to be located, whichever is less. (2) In the  
820 case of a state charter school found by the State Board of Education to  
821 have a demonstrated record of achievement, [such school] said board  
822 [may] shall, upon application by such school to [and approval by] said  
823 board, [enroll up to eighty-five students per grade, if within available  
824 appropriations] waive the provisions of subdivision (1) of this  
825 subsection for such school. The State Board of Education shall give  
826 preference to applicants for charter schools that will serve students  
827 who reside in a priority school district pursuant to section 10-266p or  
828 in a district in which seventy-five per cent or more of the enrolled  
829 students are members of racial or ethnic minorities and to applicants  
830 for state charter schools that will be located at a work-site or that are  
831 institutions of higher education. In determining whether to grant a  
832 charter, the State Board of Education shall consider the effect of the  
833 proposed charter school on the reduction of racial, ethnic and  
834 economic isolation in the region in which it is to be located, the  
835 regional distribution of charter schools in the state and the potential of  
836 over-concentration of charter schools within a school district or in  
837 contiguous school districts.

838 (d) Applications pursuant to this section shall include a description  
839 of: (1) The mission, purpose and any specialized focus of the proposed  
840 charter school; (2) the interest in the community for the establishment  
841 of the charter school; (3) the school governance and procedures for the  
842 establishment of a governing council that (A) includes (i) teachers and  
843 parents and guardians of students enrolled in the school, and (ii) the  
844 chairperson of the local or regional board of education of the town in  
845 which the charter school is located and which has jurisdiction over a  
846 school that resembles the approximate grade configuration of the  
847 charter school, or the designee of such chairperson, provided such  
848 designee is a member of the board of education or the superintendent  
849 of schools for the school district, and (B) is responsible for the  
850 oversight of charter school operations, provided no member or  
851 employee of the governing council may have a personal or financial  
852 interest in the assets, real or personal, of the school; (4) the financial  
853 plan for operation of the school, provided no application fees or other  
854 fees for attendance, except as provided in this section, may be charged;  
855 (5) the educational program, instructional methodology and services to  
856 be offered to students; (6) the number and qualifications of teachers  
857 and administrators to be employed in the school; (7) the organization  
858 of the school in terms of the ages or grades to be taught and the total  
859 estimated enrollment of the school; (8) the student admission criteria  
860 and procedures to (A) ensure effective public information, (B) ensure  
861 open access on a space available basis, (C) promote a diverse student  
862 body, and (D) ensure that the school complies with the provisions of  
863 section 10-15c and that it does not discriminate on the basis of  
864 disability, athletic performance or proficiency in the English language,  
865 provided the school may limit enrollment to a particular grade level or  
866 specialized educational focus and, if there is not space available for all  
867 students seeking enrollment, the school may give preference to siblings  
868 but shall otherwise determine enrollment by a lottery; (9) a means to  
869 assess student performance that includes participation in state-wide  
870 mastery examinations pursuant to chapter 163c; (10) procedures for  
871 teacher evaluation and professional development for teachers and  
872 administrators; (11) the provision of school facilities, pupil

873 transportation and student health and welfare services; (12)  
874 procedures to encourage involvement by parents and guardians of  
875 enrolled students in student learning, school activities and school  
876 decision-making; (13) document efforts to increase the racial and  
877 ethnic diversity of staff; and (14) a five-year plan to sustain the  
878 maintenance and operation of the school. Subject to the provisions of  
879 subsection (b) of section 10-66dd, as amended by this act, an  
880 application may include, or a charter school may file, requests to waive  
881 provisions of the general statutes and regulations not required by  
882 sections 10-66aa to 10-66ff, inclusive, as amended by this act, and  
883 which are within the jurisdiction of the State Board of Education.

884 (e) An application for the establishment of a local charter school  
885 shall be submitted to the local or regional board of education of the  
886 school district in which the local charter school is to be located for  
887 approval pursuant to this subsection. The local or regional board of  
888 education shall: (1) Review the application; (2) hold a public hearing in  
889 the school district on such application; (3) survey teachers and parents  
890 in the school district to determine if there is sufficient interest in the  
891 establishment and operation of the local charter school; and (4) vote on  
892 a complete application not later than sixty days after the date of receipt  
893 of such application. Such board of education may approve the  
894 application by a majority vote of the members of the board present and  
895 voting at a regular or special meeting of the board called for such  
896 purpose. If the application is approved, the board shall forward the  
897 application to the State Board of Education. The State Board of  
898 Education shall vote on the application not later than seventy-five days  
899 after the date of receipt of such application. Subject to the provisions of  
900 subsection (c) of this section, the State Board of Education may  
901 approve the application and grant the charter for the local charter  
902 school or reject such application by a majority vote of the members of  
903 the state board present and voting at a regular or special meeting of  
904 the state board called for such purpose. The State Board of Education  
905 may condition the opening of such school on the school's meeting  
906 certain conditions determined by the Commissioner of Education to be

907 necessary and may authorize the commissioner to release the charter  
908 when the commissioner determines such conditions are met. The state  
909 board may grant the charter for the local charter school for a period of  
910 time of up to five years and may allow the applicant to delay its  
911 opening for a period of up to one school year in order for the applicant  
912 to fully prepare to provide appropriate instructional services.

913 (f) An application for the establishment of a state charter school  
914 shall be (1) submitted to the State Board of Education for approval in  
915 accordance with the provisions of this subsection, and (2) filed with the  
916 local or regional board of education in the school district in which the  
917 charter school is to be located. The state board shall: (A) Review such  
918 application; (B) hold a public hearing on such application in the school  
919 district in which such state charter school is to be located; (C) solicit  
920 and review comments on the application from the local or regional  
921 board of education for the school district in which such charter school  
922 is to be located and from the local or regional boards of education for  
923 school districts that are contiguous to the district in which such school  
924 is to be located; and (D) vote on a complete application not later than  
925 seventy-five days after the date of receipt of such application. The State  
926 Board of Education may approve an application and grant the charter  
927 for the state charter school by a majority vote of the members of the  
928 state board present and voting at a regular or special meeting of the  
929 state board called for such purpose. The State Board of Education may  
930 condition the opening of such school on the school's meeting certain  
931 conditions determined by the Commissioner of Education to be  
932 necessary and may authorize the commissioner to release the charter  
933 when the commissioner determines such conditions are met. Charters  
934 shall be granted for a period of time of up to five years and may allow  
935 the applicant to delay its opening for a period of up to one school year  
936 in order for the applicant to fully prepare to provide appropriate  
937 instructional services.

938 (g) Charters may be renewed, upon application, in accordance with  
939 the provisions of this section for the granting of such charters. Upon  
940 application for such renewal, the State Board of Education may

941 commission an independent appraisal of the performance of the  
942 charter school that includes, but is not limited to, an evaluation of the  
943 school's compliance with the provisions of this section. The State Board  
944 of Education shall consider the results of any such appraisal in  
945 determining whether to renew such charter. The State Board of  
946 Education may deny an application for the renewal of a charter if (1)  
947 student progress has not been sufficiently demonstrated, as  
948 determined by the commissioner, (2) the governing council has not  
949 been sufficiently responsible for the operation of the school or has  
950 misused or spent public funds in a manner that is detrimental to the  
951 educational interests of the students attending the charter school, or (3)  
952 the school has not been in compliance with applicable laws and  
953 regulations. If the State Board of Education does not renew a charter, it  
954 shall notify the governing council of the charter school of the reasons  
955 for such nonrenewal.

956 (h) The Commissioner of Education may at any time place a charter  
957 school on probation if (1) the school has failed to (A) adequately  
958 demonstrate student progress, as determined by the commissioner, (B)  
959 comply with the terms of its charter or with applicable laws and  
960 regulations, (C) achieve measurable progress in reducing racial, ethnic  
961 and economic isolation, or (D) maintain its nonsectarian status, or (2)  
962 the governing council has demonstrated an inability to provide  
963 effective leadership to oversee the operation of the charter school or  
964 has not ensured that public funds are expended prudently or in a  
965 manner required by law. If a charter school is placed on probation, the  
966 commissioner shall provide written notice to the charter school of the  
967 reasons for such placement, not later than five days after the  
968 placement, and shall require the charter school to file with the  
969 Department of Education a corrective action plan acceptable to the  
970 commissioner not later than thirty-five days from the date of such  
971 placement. The charter school shall implement a corrective action plan  
972 accepted by the commissioner not later than thirty days after the date  
973 of such acceptance. The commissioner may impose any additional  
974 terms of probation on the school that the commissioner deems

975 necessary to protect the educational or financial interests of the state.  
976 The charter school shall comply with any such additional terms not  
977 later than thirty days after the date of their imposition. The  
978 commissioner shall determine the length of time of the probationary  
979 period, which may be up to one year, provided the commissioner may  
980 extend such period, for up to one additional year, if the commissioner  
981 deems it necessary. In the event that the charter school does not file or  
982 implement the corrective action plan within the required time period  
983 or does not comply with any additional terms within the required time  
984 period, the Commissioner of Education may withhold grant funds  
985 from the school until the plan is fully implemented or the school  
986 complies with the terms of probation, provided the commissioner may  
987 extend the time period for such implementation and compliance for  
988 good cause shown. Whenever a charter school is placed on probation,  
989 the commissioner shall notify the parents or guardians of students  
990 attending the school of the probationary status of the school and the  
991 reasons for such status. During the term of probation, the  
992 commissioner may require the school to file interim reports concerning  
993 any matter the commissioner deems relevant to the probationary  
994 status of the school, including financial reports or statements. No  
995 charter school on probation may increase its student enrollment or  
996 engage in the recruitment of new students without the consent of the  
997 commissioner.

998 (i) The State Board of Education may revoke a charter if a charter  
999 school has failed to: (1) Comply with the terms of probation, including  
1000 the failure to file or implement a corrective action plan; (2)  
1001 demonstrate satisfactory student progress, as determined by the  
1002 commissioner; (3) comply with the terms of its charter or applicable  
1003 laws and regulations; or (4) manage its public funds in a prudent or  
1004 legal manner. Unless an emergency exists, prior to revoking a charter,  
1005 the State Board of Education shall provide the governing council of the  
1006 charter school with a written notice of the reasons for the revocation,  
1007 including the identification of specific incidents of noncompliance with  
1008 the law, regulation or charter or other matters warranting revocation

1009 of the charter. It shall also provide the governing council with the  
1010 opportunity to demonstrate compliance with all requirements for the  
1011 retention of its charter by providing the State Board of Education or a  
1012 subcommittee of the board, as determined by the State Board of  
1013 Education, with a written or oral presentation. Such presentation shall  
1014 include an opportunity for the governing council to present  
1015 documentary and testimonial evidence to refute the facts cited by the  
1016 State Board of Education for the proposed revocation or in justification  
1017 of its activities. Such opportunity shall not constitute a contested case  
1018 within the meaning of chapter 54. The State Board of Education shall  
1019 determine, not later than thirty days after the date of an oral  
1020 presentation or receipt of a written presentation, whether and when  
1021 the charter shall be revoked and notify the governing council of the  
1022 decision and the reasons therefor. A decision to revoke a charter shall  
1023 not constitute a final decision for purposes of chapter 54. In the event  
1024 an emergency exists in which the commissioner finds that there is  
1025 imminent harm to the students attending a charter school, the State  
1026 Board of Education may immediately revoke the charter of the school,  
1027 provided the notice concerning the reasons for the revocation is sent to  
1028 the governing council not later than ten days after the date of  
1029 revocation and the governing council is provided an opportunity to  
1030 make a presentation to the board not later than twenty days from the  
1031 date of such notice.

1032 Sec. 14. Section 10-66dd of the general statutes is repealed and the  
1033 following is substituted in lieu thereof (*Effective July 1, 2010*):

1034 (a) For purposes of this section, "school professional" means any  
1035 school teacher, administrator or other personnel certified by the State  
1036 Board of Education pursuant to section 10-145b.

1037 (b) (1) Subject to the provisions of this subsection and except as may  
1038 be waived pursuant to subsection (d) of section 10-66bb, as amended  
1039 by this act, charter schools shall be subject to all federal and state laws  
1040 governing public schools.



1041 (2) At least one-half of the persons providing instruction or pupil  
1042 services in a charter school shall possess the proper certificate other  
1043 than (A) a certificate issued pursuant to subdivision (1) of subsection  
1044 (c) of section 10-145b, or (B) a temporary certificate issued pursuant to  
1045 subsection (c) of section 10-145f on the day the school begins operation  
1046 and the remaining persons shall possess a certificate issued pursuant  
1047 to said subdivision (1) or such temporary certificate on such day.

1048 (3) The commissioner may not waive the provisions of chapters 163c  
1049 and 169 and sections 10-15c, 10-153a to 10-153g, inclusive, 10-153i, 10-  
1050 153j, 10-153m and 10-292.

1051 (4) The state charter school governing council shall act as a board of  
1052 education for purposes of collective bargaining. The school  
1053 professionals employed by a local charter school shall be members of  
1054 the appropriate bargaining unit for the local or regional school district  
1055 in which the local charter school is located and shall be subject to the  
1056 same collective bargaining agreement as the school professionals  
1057 employed by said district. A majority of those employed or to be  
1058 employed in the local charter school and a majority of the members of  
1059 the governing council of the local charter school may modify, in  
1060 writing, such collective bargaining agreement, consistent with the  
1061 terms and conditions of the approved charter, for purposes of  
1062 employment in the charter school.

1063 (c) School professionals employed by a local or regional board of  
1064 education shall be entitled to a two-year leave of absence, without  
1065 compensation, in order to be employed in a charter school provided  
1066 such leave shall be extended upon request for an additional two years.  
1067 At any time during or upon the completion of such a leave of absence,  
1068 a school professional may return to work in the school district in the  
1069 position in which he was previously employed or a comparable  
1070 position. Such leave of absence shall not be deemed to be an  
1071 interruption of service for purposes of seniority and teachers'  
1072 retirement, except that time may not be accrued for purposes of  
1073 attaining tenure. A school professional who is not on such a leave of

1074 absence and is employed for forty school months of full-time  
1075 continuous employment by the charter school and is subsequently  
1076 employed by a local or regional board of education shall attain tenure  
1077 after the completion of twenty school months of full-time continuous  
1078 employment by such board of education in accordance with section 10-  
1079 151.

1080 (d) (1) An otherwise qualified school professional hired by a charter  
1081 school prior to July 1, 2010, and employed in a charter school may  
1082 participate in the state teacher retirement system under chapter 167a  
1083 on the same basis as if such professional were employed by a local or  
1084 regional board of education. The governing council of a charter school  
1085 shall make the contributions, as defined in subdivision (7) of section  
1086 10-183b for such professional.

1087 (2) An otherwise qualified school professional hired by a charter  
1088 school on or after July 1, 2010, and who has not previously been  
1089 employed by a charter school in this state prior to July 1, 2010, shall  
1090 participate in the state teacher retirement system under chapter 176a  
1091 on the same basis as if such professional were employed by a local or  
1092 regional board of education. The governing council of a charter school  
1093 shall make the contributions, as defined in subdivision (7) of section  
1094 10-183b for such professional.

1095 Sec. 15. Section 10-66hh of the general statutes is repealed and the  
1096 following is substituted in lieu thereof (*Effective from passage*):

1097 (a) For the fiscal [years] year ending June 30, 2008, [and June 30,  
1098 2009] and each fiscal year thereafter, the Commissioner of Education  
1099 shall establish, within available bond authorizations, a grant program  
1100 to assist state charter schools in financing (1) school building projects,  
1101 as defined in section 10-282, (2) general improvements to school  
1102 buildings, as defined in subsection (a) of section 10-265h, and (3)  
1103 repayment of debt incurred for school building projects. The  
1104 governing authorities of such state charter schools may apply for such  
1105 grants to the Department of Education at such time and in such

1106 manner as the commissioner prescribes. The commissioner shall give  
1107 preference to applications that provide for matching funds from  
1108 nonstate sources.

1109 (b) All final calculations for grant awards pursuant to this section in  
1110 an amount equal to or greater than two hundred fifty thousand dollars  
1111 shall include a computation of the state grant amount amortized on a  
1112 straight line basis over a ten-year period. Any state charter school  
1113 which abandons, sells, leases, demolishes or otherwise redirects the  
1114 use of a school building which benefited from such a grant award  
1115 during such amortization period, including repayment of debt for the  
1116 purchase, renovation or improvement of the building, shall refund to  
1117 the state the unamortized balance of the state grant remaining as of the  
1118 date that the abandonment, sale, lease, demolition or redirection  
1119 occurred. The amortization period shall begin on the date the grant  
1120 award is paid. A state charter school required to make a refund to the  
1121 state pursuant to this subsection may request forgiveness of such  
1122 refund if the building is redirected for public use.

1123 Sec. 16. (NEW) (*Effective July 1, 2010*) On or before July 1, 2011, the  
1124 State Board of Education shall adopt regulations, in accordance with  
1125 the provisions of chapter 54 of the general statutes, to (1) prohibit a  
1126 charter school and any affiliated charter management organization  
1127 operating such charter school from sharing board members with other  
1128 charter schools and such charter management organizations; (2)  
1129 require the disclosure of sharing management personnel; (3) prohibit  
1130 unsecured, noninterest bearing transfers of state and federal funds  
1131 between charter schools and from charter schools to charter  
1132 management organizations; (4) define allowable direct or indirect costs  
1133 and the methodology to be used by charter management organizations  
1134 to calculate per pupil service fees; and (5) permit charter management  
1135 organizations to collect private donations for purposes of distributing  
1136 to charter schools.

1137 Sec. 17. Section 10-221a of the general statutes is repealed and the  
1138 following is substituted in lieu thereof (*Effective July 1, 2010*):

1139 (a) For classes graduating from 1988 to 2003, inclusive, no local or  
1140 regional board of education shall permit any student to graduate from  
1141 high school or grant a diploma to any student who has not  
1142 satisfactorily completed a minimum of twenty credits, not fewer than  
1143 four of which shall be in English, not fewer than three in mathematics,  
1144 not fewer than three in social studies, not fewer than two in science,  
1145 not fewer than one in the arts or vocational education and not fewer  
1146 than one in physical education.

1147 (b) [Commencing with classes graduating in 2004, and for each  
1148 graduating class thereafter] For classes graduating from 2004 to 2017,  
1149 inclusive, no local or regional board of education shall permit any  
1150 student to graduate from high school or grant a diploma to any  
1151 student who has not satisfactorily completed a minimum of twenty  
1152 credits, not fewer than four of which shall be in English, not fewer than  
1153 three in mathematics, not fewer than three in social studies, including  
1154 at least a one-half credit course on civics and American government,  
1155 not fewer than two in science, not fewer than one in the arts or  
1156 vocational education and not fewer than one in physical education.

1157 (c) Commencing with classes graduating in 2018, and for each  
1158 graduating class thereafter, no local or regional board of education  
1159 shall permit any student to graduate from high school or grant a  
1160 diploma to any student who has not satisfactorily completed (1) a  
1161 minimum of twenty-five credits, including not fewer than: (A) Nine  
1162 credits in the humanities, including not fewer than (i) four credits in  
1163 English, including composition; (ii) three credits in social studies,  
1164 including at least one credit in American history and at least one-half  
1165 credit in civics and American government; (iii) one credit in fine arts;  
1166 and (iv) one credit in a humanities elective; (B) eight credits in science,  
1167 technology, engineering and mathematics, including not fewer than (i)  
1168 four credits in mathematics, including algebra I, geometry and algebra  
1169 II or probability and statistics; (ii) three credits in science, including at  
1170 least one credit in life science and at least one credit in physical science;  
1171 and (iii) one credit in a science, technology, engineering and  
1172 mathematics elective; (C) three and one-half credits in career and life

1173 skills, including not fewer than (i) one credit in physical education; (ii)  
1174 one-half credit in health and safety education, as described in section  
1175 10-16b; and (iii) two credits in career and life skills electives, such as  
1176 career and technical education, English as a second language,  
1177 community service, personal finance, public speaking and nutrition  
1178 and physical activity; (D) two credits in world languages, subject to the  
1179 provisions of subsection (g) of this section; and (E) a one credit senior  
1180 demonstration project or its equivalent, as approved by the State Board  
1181 of Education; and (2) end of the school year examinations for the  
1182 following courses: (A) Algebra I, (B) geometry, (C) biology, (D)  
1183 American history, and (E) grade ten English.

1184 (d) Commencing with classes graduating in 2018, and for each  
1185 graduating class thereafter, local and regional boards of education  
1186 shall provide adequate student support and remedial services for  
1187 students beginning in grade seven. Such student support and remedial  
1188 services shall provide alternate means for a student to complete any of  
1189 the high school graduation requirements or end of the school year  
1190 examinations described in subsection (c) of this section, if such student  
1191 is unable to satisfactorily complete any of the required courses or  
1192 exams. Such student support and remedial services shall include, but  
1193 not be limited to, (1) allowing students to retake courses in summer  
1194 school or through an on-line course; (2) allowing students to enroll in a  
1195 class offered at a constituent unit of the state system of higher  
1196 education, as defined in section 10a-1, pursuant to subdivision (4) of  
1197 subsection (g) of this section; (3) allowing students who received a  
1198 failing score, as determined by the Commissioner of Education, on an  
1199 end of the school year exam to take an alternate form of the exam; and  
1200 (4) allowing those students whose individualized education plans state  
1201 that such students are eligible for an alternate assessment to  
1202 demonstrate competency on any of the five core courses through  
1203 success on such alternate assessment.

1204 [(c)] (e) Any student who presents a certificate from a physician  
1205 stating that, in the opinion of the physician, participation in physical  
1206 education is medically contraindicated because of the physical

1207 condition of such student, shall be excused from the physical  
1208 education requirement, provided the credit for physical education may  
1209 be fulfilled by an elective.

1210       ~~[(d)]~~ (f) Determination of eligible credits shall be at the discretion of  
1211 the local or regional board of education, provided the primary focus of  
1212 the curriculum of eligible credits corresponds directly to the subject  
1213 matter of the specified course requirements. The local or regional  
1214 board of education may permit a student to graduate during a period  
1215 of expulsion pursuant to section 10-233d, if the board determines the  
1216 student has satisfactorily completed the necessary credits pursuant to  
1217 this section. The requirements of this section shall apply to any student  
1218 requiring special education pursuant to section 10-76a, except when  
1219 the planning and placement team for such student determines the  
1220 requirement not to be appropriate. For purposes of this section, a  
1221 credit shall consist of not less than the equivalent of a forty-minute  
1222 class period for each school day of a school year except for a credit or  
1223 part of a credit toward high school graduation earned (1) at an  
1224 institution accredited by the Department of Higher Education or  
1225 regionally accredited; or (2) through on-line coursework that is in  
1226 accordance with a policy adopted pursuant to subsection (g) of this  
1227 section.

1228       ~~[(e)]~~ (g) Only courses taken in grades nine through twelve,  
1229 inclusive, shall satisfy this graduation requirement, except that a local  
1230 or regional board of education may grant a student credit (1) toward  
1231 meeting a specified course requirement upon the successful  
1232 completion in grade seven or eight of any course, the primary focus of  
1233 which corresponds directly to the subject matter of a specified course  
1234 requirement in grades nine to twelve, inclusive; (2) toward meeting the  
1235 high school graduation requirement upon the successful completion of  
1236 a world language course (A) in grade six, seven or eight, (B) through  
1237 on-line coursework, or (C) offered privately through a nonprofit  
1238 provider, provided such student achieves a passing grade on an  
1239 examination prescribed, within available appropriations, by the  
1240 Commissioner of Education and such credits do not exceed four; (3)

1241 toward meeting the high school graduation requirement upon  
1242 achievement of a passing grade on a subject area proficiency  
1243 examination identified and approved, within available appropriations,  
1244 by the Commissioner of Education, regardless of the number of hours  
1245 the student spent in a public school classroom learning such subject  
1246 matter; [or] (4) toward meeting the high school graduation  
1247 requirement upon the successful completion of coursework at an  
1248 institution accredited by the Department of Higher Education or  
1249 regionally accredited. One three-credit semester course, or its  
1250 equivalent, at such an institution shall equal one-half credit for  
1251 purposes of this section; (5) toward meeting the high school  
1252 graduation requirement upon the successful completion of on-line  
1253 coursework, provided the local or regional board of education has  
1254 adopted a policy in accordance with this subdivision for the granting  
1255 of credit for on-line coursework. Such a policy shall ensure, at a  
1256 minimum, that (A) the workload required by the on-line course is  
1257 equivalent to that of a similar course taught in a traditional classroom  
1258 setting, (B) the content is rigorous and aligned with curriculum  
1259 guidelines approved by the State Board of Education, where  
1260 appropriate, (C) the course engages students and has interactive  
1261 components, which may include, but are not limited to, required  
1262 interactions between students and their teachers, participation in on-  
1263 line demonstrations, discussion boards or virtual labs, (D) the program  
1264 of instruction for such on-line coursework is planned, ongoing and  
1265 systematic, and (E) the courses are (i) taught by teachers who are  
1266 certified in the state or another state and have received training on  
1267 teaching in an on-line environment, or (ii) offered by institutions of  
1268 higher education that are accredited by the Department of Higher  
1269 Education or regionally accredited; or (6) toward meeting the high  
1270 school graduation requirement upon the successful completion of the  
1271 board examination series pursuant to section 18 of this act.

1272 [(f)] (h) A local or regional board of education may offer one-half  
1273 credit in community service which, if satisfactorily completed, shall  
1274 qualify for high school graduation credit pursuant to this section,

1275 provided such community service is supervised by a certified school  
1276 administrator or teacher and consists of not less than fifty hours of  
1277 actual service that may be performed at times when school is not  
1278 regularly in session and not less than ten hours of related classroom  
1279 instruction. For purposes of this section, community service does not  
1280 include partisan political activities. The State Board of Education shall  
1281 assist local and regional boards of education in meeting the  
1282 requirements of this section.

1283 [(g)] (i) A local or regional board of education may award a diploma  
1284 to a veteran of World War II, pursuant to section 27-103, who left high  
1285 school prior to graduation in order to serve in the armed forces of the  
1286 United States and did not receive a diploma as a consequence of such  
1287 service.

1288 (j) For the school year commencing July 1, 2012, and each school  
1289 year thereafter, a local or regional board of education shall collect  
1290 information for each student enrolled in a public school, beginning in  
1291 grade six, that records students' career and academic choices in grades  
1292 six to twelve, inclusive.

1293 Sec. 18. (NEW) (*Effective July 1, 2010*) (a) The Department of  
1294 Education may establish a board examination series pilot program to  
1295 allow local and regional boards of education to permit students in  
1296 grades nine to twelve, inclusive, to substitute achievement of a passing  
1297 score on a series of examinations approved by the State Board of  
1298 Education for the high school graduation requirements pursuant to  
1299 section 10-221a of the general statutes, as amended by this act. The  
1300 State Board of Education shall issue a board examination certificate to  
1301 any student who has successfully completed such program. Such  
1302 board examination certificate shall be considered in the same manner  
1303 as a high school diploma for purposes of determining eligibility of a  
1304 student for enrollment at a public institution of higher education in  
1305 this state.

1306 (b) Notwithstanding the high school graduation requirements



1307 pursuant to section 10-221a of the general statutes, as amended by this  
1308 act, for the school year commencing July 1, 2011, and each school year  
1309 thereafter, a local or regional board of education shall permit a student  
1310 to graduate from high school upon the successful completion of the  
1311 board examination series program described in subsection (a) of this  
1312 section.

1313       Sec. 19. (*Effective July 1, 2010*) (a) For the fiscal years ending June 30,  
1314 2013, to June 30, 2018, inclusive, the Department of Education shall,  
1315 within available appropriations, provide grants to local and regional  
1316 school districts to begin implementation of the provisions of  
1317 subsections (c) and (d) of section 10-221a of the general statutes, as  
1318 amended by this act.

1319       (b) On or before November 1, 2012, and biennially thereafter, each  
1320 local or regional board of education seeking grant assistance from the  
1321 department pursuant to subsection (a) of this section shall report to the  
1322 department on the status of the school district's implementation of the  
1323 provisions of subsections (c) and (d) of section 10-221a of the general  
1324 statutes, as amended by this act, and an explanation for the reasons  
1325 why funds are necessary for the next biennium to implement the  
1326 provisions of subsections (c) and (d) of said section 10-221a.

1327       (c) On or before February 1, 2013, and biennially thereafter, the  
1328 department shall report, in accordance with the provisions of section  
1329 11-4a of the general statutes, to the joint standing committee of the  
1330 General Assembly having cognizance of matters relating to education  
1331 on the status of implementation of the provisions of subsections (c)  
1332 and (d) of section 10-221a of the general statutes, as amended by this  
1333 act, by local and regional boards of education in the state. Such report  
1334 shall include, (1) an explanation of any existing state and federal funds  
1335 currently available to assist in such implementation, (2)  
1336 recommendations regarding the appropriation of additional state  
1337 funds to support local and regional boards of education in the  
1338 implementation of subsections (c) and (d) of said section 10-221a, and  
1339 (3) recommendations for any statutory changes that would facilitate

1340 implementation of subsections (c) and (d) of said section 10-221a by  
1341 local and regional boards of education.

1342 Sec. 20. (NEW) (*Effective July 1, 2010*) On and after July 1, 2012, the  
1343 Department of Education shall commence development or approval of  
1344 the end of the school year examinations to be administered pursuant to  
1345 subdivision (2) of subsection (c) of section 10-221a of the general  
1346 statutes, as amended by this act. Such examinations shall be developed  
1347 or approved on or before July 1, 2014.

1348 Sec. 21. Subsection (g) of section 10-233c of the 2010 supplement to  
1349 the general statutes is repealed and the following is substituted in lieu  
1350 thereof (*Effective from passage*):

1351 (g) On and after July 1, 2010, suspensions pursuant to this section  
1352 shall be in-school suspensions, unless during the hearing held  
1353 pursuant to subsection (a) of this section, (1) the administration  
1354 determines that the pupil being suspended poses such a danger to  
1355 persons or property or such a disruption of the educational process  
1356 that the pupil shall be excluded from school during the period of  
1357 suspension, or (2) the administration determines that an out-of-school  
1358 suspension is appropriate for such pupil based on evidence of (A)  
1359 previous disciplinary problems that have led to suspensions or  
1360 expulsion of such pupil, and (B) efforts by the administration to  
1361 address such disciplinary problems through means other than out-of-  
1362 school suspension or expulsion, including positive behavioral support  
1363 strategies. An in-school suspension may be served in the school that  
1364 the pupil attends, or in any school building under the jurisdiction of  
1365 the local or regional board of education, as determined by such board."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	New section
Sec. 2	<i>July 1, 2010</i>	10-157
Sec. 3	<i>July 1, 2010</i>	10-10a
Sec. 4	<i>July 1, 2010</i>	10-151b

Sec. 5	<i>July 1, 2010</i>	New section
Sec. 6	<i>July 1, 2010</i>	New section
Sec. 7	<i>July 1, 2010</i>	10-223e
Sec. 8	<i>July 1, 2010</i>	9-185
Sec. 9	<i>from passage</i>	10-183v
Sec. 10	<i>July 1, 2010</i>	10-151(a)
Sec. 11	<i>July 1, 2010</i>	10-66p
Sec. 12	<i>July 1, 2010</i>	10-66aa
Sec. 13	<i>from passage</i>	10-66bb
Sec. 14	<i>July 1, 2010</i>	10-66dd
Sec. 15	<i>from passage</i>	10-66hh
Sec. 16	<i>July 1, 2010</i>	New section
Sec. 17	<i>July 1, 2010</i>	10-221a
Sec. 18	<i>July 1, 2010</i>	New section
Sec. 19	<i>July 1, 2010</i>	New section
Sec. 20	<i>July 1, 2010</i>	New section
Sec. 21	<i>from passage</i>	10-233c(g)